

JAN 18 2013

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that it is an important
2 priority to encourage beekeeping operations of all sizes
3 throughout the State to ensure the continued viability of
4 honeybee stocks both in managed apiaries and in the wild.
5 Honeybees are a primary pollinator of food crops essential for
6 many agricultural and horticultural operations. However,
7 honeybee populations are declining at a rapid rate due to
8 disease and predators. Varroa mites, small hive beetles, and
9 nosema have decimated honeybee populations throughout Hawaii and
10 the mainland United States.

11 The legislature further finds that the best way to make
12 beekeeping an attractive proposition in Hawaii is to make it
13 easier and financially viable for beekeepers to legally extract,
14 bottle, and sell honey by minimizing the administrative and
15 bureaucratic requirements in ways that will not affect public
16 safety. Honey is antiseptic, antibiotic, antifungal, and
17 antibacterial -- it never spoils and does not host harmful
18 bacteria. There is a well-priced market for raw, local



1 artisanal honey in Hawaii, and beekeepers will overcome today's
2 difficult environmental obstacles to farming bees if they can
3 successfully sell their honey.

4 Most small beekeepers cannot successfully navigate the
5 current regulatory hurdles required to operate a certified food-
6 processing establishment on their own premises for the
7 extraction and bottling of honey. Currently, if located in
8 remote areas without chlorinated county water, beekeepers are
9 required to carry the frames of honey away from their farms in
10 bee boxes to an existing certified kitchen, a practice that can
11 endanger healthy bees. Many have given up beekeeping, and
12 others game the system by utilizing paper commissary agreements
13 to fulfill the regulatory hurdle.

14 The purpose of this Act is to encourage beekeeping
15 operations in the State by exempting home-based agricultural
16 producers of honey from processing honey in a certified honey
17 house and obtaining a permit; provided that certain requirements
18 are met.

19 SECTION 2. Section 328-79, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "[§]328-79[§] Home-based agricultural producer of honey;
22 exemption. A home-based agricultural producer of honey shall



1 not be required to process honey in a certified honey house or
2 food processing establishment, or be required to obtain a permit
3 from the department [~~of health~~], if the producer:

4 (1) Sells less than [~~fifty~~] five hundred gallons of honey
5 a year;

6 (2) Sells the honey directly to consumers [~~, and~~] or
7 directly to a retail store that in turn sells the
8 honey directly to consumers;

9 (3) Labels each container of honey sold with:

10 (A) The name and address of the producer;

11 (B) The net weight and volume of the honey, by
12 standard measure;

13 (C) The date the honey was produced; [~~and~~]

14 (D) The statement, "Honey should not be consumed by
15 infants under one year of age." in clear and
16 conspicuous print; and

17 [~~(D)~~] (E) The statement, "This product is home-
18 produced and processed." in clear and conspicuous
19 print."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 482

Report Title:

Agricultural Products; Honey

Description:

Clarifies the maximum number of gallons of honey that can be sold by a certified honey house or food processing establishment for an exemption from obtaining a permit from the department of health. Exempts from the permit requirement sales of honey directly to retail stores that in turn sell the honey directly to consumers. Requires certain wording on labels of each container of honey sold in order to be exempt from permit requirement.

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